



SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES		POLICY NUMBER 1.5.F.1	PAGE NUMBER 1 OF 2
		DISTRIBUTION:	Public
		SUBJECT:	Marriage of an Offender
RELATED STANDARDS:	None	EFFECTIVE DATE:	March 15, 2023
		SUPERSESION:	03/11/2021
DESCRIPTION: Religious Programs	REVIEW MONTH: March	 KELLIE WASKO SECRETARY OF CORRECTIONS	

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to permit offenders to marry during incarceration unless legitimate penological interests dictate otherwise. Offenders are not permitted to marry other incarcerated individuals or any individual who is not eligible for the offender's approved visit list.

II. PURPOSE

The purpose of this policy is to establish guidelines and procedures for offender marriages while incarcerated.

III. DEFINITIONS

None.

IV. PROCEDURES

A. Guidelines for Marriages.

1. Offenders are allowed to marry while incarcerated.
2. The offender and the intended spouse are responsible for submitting all documents and bearing all expenses associated with the marriage.
3. The warden shall not provide transportation for an offender to secure a marriage license.
4. Employees will not provide notarization services or witness signatures. Notarization services can be scheduled through a professional visit.
5. Pursuant to SDCL § 25-1-10.1, it is the sole responsibility of the register of deeds to determine eligibility for marriage.
6. There will be no marriage ceremonies within DOC facilities.

V. RESPONSIBILITY

The Director of Prisons is responsible for the annual review and revision as needed for this policy.

VI. AUTHORITY

SDCL § 25-1-10.1

VII. HISTORY

March 2023
 March 2021
 December 2019

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Religious Programs	Marriage of an Offender	1.5.F.1	Effective: 03/15/2023

December 2018
December 2017
December 2016
December 2015
June 2015
December 2014
December 2013
January 2013

ATTACHMENTS (*Indicates document opens externally)

1. DOC Policy Implementation / Adjustments